

LAW OFFICES OF
WALKUP, MELODIA, KELLY & SCHOENBERGER
A PROFESSIONAL CORPORATION

650 CALIFORNIA STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94108-2615
T: (415) 981-7210 · F: (415) 391-6965

MICHAEL A. KELLY (State Bar #71460)
mkelly@walkuplawoffice.com
RICHARD H. SCHOENBERGER (State Bar #122190)
rschoenberger@walkuplawoffice.com
MATTHEW D. DAVIS (State Bar #141986)
mdavis@walkuplawoffice.com
ASHCON MINOIEFAR (State Bar #347583)
aminoiefar@walkuplawoffice.com

SHANIN SPECTER (Pennsylvania State Bar No. 40928)
(Admitted Pro Hac Vice)
shanin.specter@klinespecter.com
ALEX VAN DYKE (CA State Bar No. 340379)
alex.vandyke@klinespecter.com
KLINE & SPECTER, P.C.
1525 Locust Street
Philadelphia, PA 19102
Telephone: (215) 772-1000
Facsimile: (215) 772-1359

ATTORNEYS FOR ALL PLAINTIFFS

UNITED STATES DISTRICT COURT

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND
DIVISION**

JANE ROE, an individual; MARY ROE,
an individual; SUSAN ROE, an
individual; JOHN ROE, an individual;
BARBARA ROE, an individual;
PHOENIX HOTEL SF, LLC, a
California limited liability company;
FUNKY FUN, LLC, a California limited
liability company; and 2930 EL
CAMINO, LLC, a California limited
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST

**JOINT CASE MANAGEMENT
STATEMENT**

**ASSIGNED FOR ALL PURPOSES TO
THE HONORABLE DISTRICT JUDGE
JON S. TIGAR, COURTROOM 6**

Action Filed: 03/14/2024
Trial Date: Unassigned

Pursuant to the Court's April 11, 2025 Minute Entry (ECF No. 93), the parties jointly submit this Joint Case Management Statement focusing on proposed deadlines and discovery.

I. SCHEDULING

A. Preliminary Injunction

The Court requested a proposed briefing and witness examination schedule from both parties.

The parties believe discovery for the purpose of the preliminary injunction can be completed by August 18, upon completion of all depositions of the Plaintiffs. The parties believe it would be reasonable for the City to receive 30 days to respond to Plaintiffs' motion. Plaintiffs would then file a reply 14 days after that. Plaintiffs anticipate they will call four to five live witnesses and also submit evidence in the form of written submissions, including deposition testimony, documents, photographs, and video recordings. As such, the parties propose a three-day hearing and the following schedule.

Event	Joint Proposal
Plaintiffs' Preliminary Injunction Motion Due By	August 25, 2025
Defendant's Opposition Due By	September 22, 2025
Plaintiff's Reply Due By	October 6, 2025
PI Injunction Hearing Day 1	October 20, 2025
PI Injunction Hearing Day 2	October 21, 2025
PI Injunction Hearing Day 3	October 22, 2025
PI Injunction Hearing Day 4 (if necessary)	October 23, 2025

B. Case Schedule and TrialPlaintiffs' Statement

Plaintiffs propose the following case schedule:

Event	Plaintiffs' Proposal
Fact Discovery Cut-Off	January 5, 2026
Opening Expert Report Deadline	January 19, 2026 (2 weeks after close of fact discovery)
Rebuttal Expert Report Deadline	February 14, 2026 (4 weeks from initial disclosure)
Expert Discovery Cut-Off	March 2, 2026 (2 weeks from rebuttal disclosure)
Last Day to File Dispositive Motions	March 30, 2026 (28 days after expert discovery cut-off)
Last Day to Hear Dispositive Motions (Monday, 2PM)	May 4, 2026 (35 days after motion deadline)
Pretrial Conference (Monday, 2PM)	June 15, 2026
Trial (M-Th, 8AM)	June 22, 2026 (7 Court Days)

Defendants' Statement

Defendants accept Plaintiffs' proposed trial schedule.

Defendant believes that the case could bifurcated to address the disability access and nuisance claims in separate motions for summary judgment.

Defendant shares the goal of efficiently trying this case before the Court, but cannot determine at this time the form of presentation of trial testimony. San Francisco requests 10 days for trial, inclusive of all parties' cases.

1 Dated: May 13, 2025

WALKUP, MELODIA, KELLY & SCHOENBERGER

2
3 By: /s/ Ashcon Minoiefar

4 MICHAEL A. KELLY
5 RICHARD H. SCHOENBERGER
6 MATTHEW D. DAVIS
7 ASHCON MINOIEFAR
Attorneys for ALL PLAINTIFFS

8 Dated: May 13, 2025

9 DAVID CHIU
City Attorney
10 YVONNE R. MERÉ
Chief Deputy City Attorney
11 TARA M. STEELEY
THOMAS S. LAKRITZ
12 JOHN H. GEORGE
KAITLYN M. MURPHY
13 Deputy City Attorneys

14 By: /s/ Thomas Lakritz
15 THOMAS LAKRITZ

16 Attorneys for Defendant
17 CITY AND COUNTY OF SAN FRANCISCO
18
19
20
21
22
23
24
25
26
27
28

CIVIL L.R. 5-1(h)(3) ATTESTATION

I, THOMAS S. LAKRITZ, attest that each of the other signatories have concurred in the filing of this document, which shall serve in lieu of their own signatures on the document.

Dated: May 13, 2025

By: /s/ Thomas Lakritz

THOMAS S. LAKRITZ
Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO